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9 Attorneys for Plaintiffs

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

12 JOHN COFFEE, MEI-LING MONTANEZ,
13 and S.M., a minor by MEI-LING
MONTANEZ, S.M.'s parent and guardian, on
behalf of themselves and all others similarly
situated,

14 Plaintiffs,

15 v.

16 GOOGLE LLC,

17 Defendant.

18 Case No. 5:20-cv-03901-BLF

19 **STIPULATION EXTENDING BRIEFING
DEADLINES RE DEFENDANT'S MOTION
TO DISMISS; AND [PROPOSED] ORDER**

20 **CLASS ACTION**

21 District Judge Beth Labson Freeman
Courtroom 3, 5th Floor, San Jose
Magistrate Judge Susan van Keulen
Courtroom 6, 4th Floor, San Jose

22 Complaint Filed: June 12, 2020
Trial Date: Not Set

23 **JURY TRIAL DEMANDED**

24 Case No. 5:20-cv-03901-BLF

25 STIPULATION TO EXTEND BRIEFING DEADLINES RE MOTION TO DISMISS

STIPULATION

Plaintiffs John Coffee, Mei-Ling Montanez, and S.M., a minor by Mei-Ling Montanez, S.M.’s parent and guardian, on behalf of themselves and all others similarly situated (“Plaintiffs”) and Defendant Google LLC (“Defendant”) hereby stipulate, pursuant to Civil L.R. 6-1 and 6-2 and subject to approval by the Court, for an extension of the deadlines to file opposition and reply memoranda regarding Defendant’s Motion to Dismiss Plaintiffs’ First Amended Complaint. (ECF No. 66). The proposed extension and briefing schedule will not impact the hearing date relating to Defendant’s Motion, which is set for October 21, 2021, or any other deadlines in this matter.

WHEREAS, on March 11, 2021, the Court granted the Parties' stipulation relating to Plaintiffs' First Amended Complaint and set the following deadlines:

- Plaintiffs' deadline to file their First Amended Complaint is March 19, 2021;
 - Defendant's Motion to Dismiss shall be due on April 19, 2021;
 - Plaintiffs' Opposition to Defendant's Motion to Dismiss shall be due on May 19, 2021;
and
 - Defendant's Reply in Support of its Motion to Dismiss shall be due on June 9, 2021

WHEREAS, on April 19, 2021, Defendant filed its Motion to Dismiss (ECF No. 66). The Motion was set for a hearing on July 15, 2021.

WHEREAS, on April 23, 2021, the Court reset the hearing on Defendant's Motion to Dismiss to October 21, 2021. (ECF No. 68)

WHEREAS, due to scheduling conflicts and in light of the three-month continuance of the hearing relating to Defendant's Motion to Dismiss, Plaintiffs have requested and Defendant has agreed to a revised briefing schedule for the opposition and reply memoranda.

WHEREAS, the Parties believe there is good cause for the proposed, revised briefing schedule on Defendant's Motion to Dismiss to permit the Parties more time to file their opposition and reply briefs particularly because the deadlines will not impact the continued hearing date.

WHEREAS, the Parties have met and conferred, and believe there is good cause for the proposed motion to dismiss briefing schedule. This request is made in good faith, and the requested

1 schedule will not alter or effect any other deadline set by the Court. This is the first request for an
2 extension since Defendant filed its Motion to Dismiss.

3 **ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED**, subject to the
4 approval of the Court, that:

- 5 1. Plaintiffs' Opposition to Defendant's Motion to Dismiss shall be due on July 30,
6 2021.
- 7 2. Defendant's Reply in Support of its Motion to Dismiss shall be due on October 1,
8 2021.
- 9 3. The hearing on Defendant's Motion to Dismiss shall remain set for October 21, 2021.

10 **NOW, THEREFORE**, this Agreement is entered into by and among the Parties, by and
11 through their respective counsel and representatives.

12 Respectfully submitted,

13 Dated: May 17, 2021

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Dated: May 17, 2021

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ECF CERTIFICATION

The filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to this document.

Dated: May 17, 2021

BLOOD HURST & O'REARDON, LLP

By: s/ Timothy G. Blood
TIMOTHY G. BLOOD

1 **[PROPOSED] ORDER**

2 Having reviewed the above Stipulation Extending Briefing Deadlines re Defendant's Motion
3 to Dismiss, IT IS HEREBY ORDERED that the Court finds that good cause exists for the entry of
4 this Order. The schedule relating to Defendant's Motion to Dismiss is as follows:

- 5 1. Plaintiffs' Opposition to Defendant's Motion to Dismiss shall be due on **July 30,**
6 **2021.**
- 7 2. Defendant's Reply in Support of its Motion to Dismiss shall be due on **October 1,**
8 **2021.**
- 9 3. Defendant's Motion to Dismiss shall remain set for hearing on **October 21, 2021, at**
10 **9:00 a.m.**

11 **IT IS SO ORDERED.**

12 DATED: May 19, 2021

13

Beth Labson Freeman
14 THE HONORABLE BETH LABSON FREEMAN
15 UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 17, 2021.

s/ Timothy G. Blood

TIMOTHY G. BLOOD

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